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106TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ 106-93

HAWAIIAN NATIONAL PARK LANGUAGE CORRECTION ACT OF 1999

JUNE 24, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 939]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 939) to correct spelling errors in the statutory designations of Hawaiian National Parks, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 3, line 12 strike “first section of the”.
2. On page 3, line 17 strike the word “Park” and insert in lieu thereof the following, “Park” each place it appears.
3. On page 4, in subsection (e) strike the words “Historical Site” each place they appear and insert in lieu thereof “Historic Site”.
4. On page 4, line 15, strike the word “Section”, and insert in lieu thereof “(a) Section”.
5. At the end of page 4 add the following new subsection:
“(b) The first section of Public Law 94-567 (90 Stat. 2692) is amended in subsection (e) by striking “Haleakala” each place it appears and inserting “Haleakalā”.

PURPOSE OF THE MEASURE

The purpose of S. 939, as ordered reported, is to correct spelling errors in the statutory designations of National Park System units in the State of Hawaii.

BACKGROUND AND NEED

Seven National Park System units in the State of Hawaii have Hawaiian names. In the Hawaiian language, the inclusion of diacritical marks can change the meaning of otherwise identically spelled words. When the affected park units in Hawaii were originally designated, the necessary diacritical marks were not included as part of the official park names. This legislation corrects these designations.

LEGISLATIVE HISTORY

S. 939 was introduced by Senators Akaka and Inouye on May 3, 1999. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 939 on May 25, 1999.

At its business meeting on June 16, 1999, the Committee on Energy and Natural Resources ordered S. 939, favorably reported, with an amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on June 16, 1999, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 939, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 939, the Committee adopted a technical amendment which corrects a spelling error and makes a number of technical, clarifying and conforming changes to the bill. In addition, one additional Public Law concerning Haleakalā National Park was added to the list of designations that needed to be corrected.

SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title as the "Hawaiian National Park Language Correction Act of 1999".

Section 2(a) amends Public Law 87-278 (75 Stat. 577) by changing the spelling of "Hawaii Volcanoes National Park" to "Hawaii Volcanoes National Park".

Subsection (b) amends Public Law 86-744 (74 Stat. 881) by changing the spelling of "Haleakala National Park" to "Haleakalā National Park".

Subsection (c) amends Section 505 of Public Law 95-625 (16 U.S.C. 396d) by changing the spelling of "Kaloko-Honokohau National Historical Park" to "Kaloko-Honōkohau National Historical Park".

Subsection (d) amends the Public Law of July 26, 1955 (chapter 385: 69 Stat. 376) as amended by section 305 of Public Law 95-625 (92 Stat. 3477) by changing the spelling of "Puuhonua o Honauuau National Historical Park" to "Puūhonuā o Hōnannau National Historical Park".

Subsection (e) amends Public Law 92-388 (86 Stat. 562) by changing the spelling of "Puukohola Heiau National Historic Site" to "Putukoholā Heiau National Historic Site".

Section 3(a) amends Section 401(6) of Public Law 95–625 (U.S.C. 92 Stat. 3489), the National Parks and Recreation Act of 1978 by changing the spelling of Hawaii Volcanoes National Park’ to “Hawaii Volcanoes National Park”.

Subsection (b) amends Public Law 94–567 by changing the spelling of “Haleakala National Park” to “Haleakalā National Park”.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 23, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 939, the Hawaiian National Park Language Correction Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 939—Hawaiian National Park Language Correction Act of 1999

S. 939 would correct spelling errors in the statutes that designate certain national park units in Hawaii. CBO estimates that implementing the bill would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 939 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact is Deborah Reis. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 939. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 939, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 25, 1999, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 939. These reports had not been received at the time the report on S. 939 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF KATHERINE H. STEVENSON, ASSOCIATE DIRECTOR, CULTURAL RESOURCE STEWARDSHIP AND PARTNERSHIP, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Thank you for the opportunity to present the position of the Department of the Interior on S. 939, a bill to correct spelling errors in the statutory designations of Hawaiian National Parks.

The Department of the Interior strongly supports this bill. S. 939 would correct the statutory spellings for 5 Hawaiian units of the National Park system—Haleakala National Park, Hawaii Volcanoes National Park, Kaloko-Honokohau National Historic Park, Puukohola Heiau National Historic Site, and Puuhonau o Honaunau National Historic Park.

The bill brings the statutory names of these units into conformity with the native Hawaiian language by recognizing that the original spellings of the statutory designations of these parks were incorrect. We believe these misspellings were the result of an oversight, and were not intentional. In some cases, though, the misspellings changed the meaning of a designation. The spelling of Haleakala in the designation of Haleakala National Park, for instance, means “House of Raspberry” in the native Hawaiian language. Under the S. 939 corrected spelling, this designation means “House of the Rising Sun.” This is what native Hawaiians call this area, and we assume is what Congress intended this area to be called when it established this park in 1960.

We would like to suggest a few technical corrections to this bill. We propose that the words “first section of the” be stricken from line 12 of page 3 (Section 2(d)(1)), and the words “each place it appears” be inserted on line 17 before “and”, as the name of Puuhonua o Honaunau National Historical Park appears several places in the Act of July 21, 1955, not just in the first section. In addition, we recommend that the references on lines 1, 5, 7, and 13 on page 4 (Section 2(e)) to “Historical Site” be changed to “Historic Site” to reflect the correct name of the park. Finally we propose that an “(a)” be inserted at the beginning of line 15 on page 4, and the following conforming amendment be added to Section 3:

(b) The first section of Public Law 94-567 (90 Stat. 2692) is amended in subsection (e) by striking "Haleakala" each place it appears and inserting "Haleakalā".

Because this bill accords the native Hawaiian tongue the respect it deserves by correcting the spellings of these Hawaiian parks, we urge its swift passage. This concludes my testimony. I would be happy to answer any of your questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 939, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

(Public Law 84-177, as amended by Public Law 95-625 of November 10, 1978)

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NAME CHANGE; CITY OF REFUGE NATIONAL HISTORICAL PARK

SEC. 305. The Act of July 21, 1955 (69 Stat. 376) is hereby amended to redesignate the City of Refuge National Historical Park as the **【Puuhonua o Honaunau National Historical Park】** *Puuhonua o Hōnannau National Historical Park*.

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TITLE IV—WILDERNESS

DESIGNATION OF AREAS

SEC. 401 * * *
(1) * * *

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(6) **【Hawaii Volcanoes National Park】** *Hawaii Volcanoes National Park*, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres depicted on a map entitled "Wilderness Plan, **【Hawaii Volcanoes National Park】** *Hawaii Volcanoes National Park*, Hawaii", numbered 124-20,020 and dated April 1974, to be known as the **【Hawaii Volcanoes】** *Hawaii Volcanoes Wilderness*.

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【KALOKO-HONOKOHAU】 *KALOKO-HONŌKOHAU*

SEC. 505. (a) In order to provide a center for the preservation, interpretation, and perpetuation of traditional native Hawaiian activities and culture, and to demonstrate historic land use patterns as well as to provide a needed resource for the education, enjoy-

ment, and appreciation of such traditional native Hawaiian activities and culture by local residents and visitors, there is established the **【Kaloko-Honokohau】** *Kaloko-honōkohau* National Historical Park (hereinafter in this section referred to as the “park”) in Hawaii comprising approximately one thousand three hundred acres as generally depicted on the map entitled “**【Kaloko-Honokohau】** *Kaloko-honōkohau* National Historical Park,” numbered KHN-80,000, and dated May 1978, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(b) Except for any lands owned by the State of Hawaii or its subdivisions, which may be acquired only by donation, the Secretary is authorized to acquire the lands described above by donation, exchange, or purchase through the use of donated or appropriated funds, notwithstanding any prior restriction of law.

(c) The Secretary shall administer the park in accordance with this section and the provisions of law generally applicable to units of the national park system, including the Acts approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 461–467), and August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), and generally in accordance with the guidelines provided in the study report entitled **【Kaloko-Honokohau】** *Kaloko-honōkohau* prepared by the Honokohau Study Advisory Commission and the National Park Service, May 1974, GPO 690–514.

* * * * *

(f)(1) There is hereby established the **【Kaloko-Honokohau】** *Kaloko-honōkohau* Na Hoa Pili O **【Kaloko-Honokohau】** *Kaloko-honōkohau* (The Friends of **【Kaloko-Honokohau】** *Kaloko-honōkohau*), an Advisory Commission for the park. The Commission shall be composed of nine members, appointed by the Secretary, at least five of whom shall be selected from nominations provided by native Hawaiian organizations. All members of the Commission shall be residents of the State of Hawaii, and at least six members shall be native Hawaiians. Members of the Commission shall be appointed for five-year terms except that initial appointment(s) shall consist of two members appointed for a term of five years, two for a term of four years, two for a term of three years, two for a term of two years, and one for a term of one year. No member may serve more than one term consecutively.

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(Public Law 86–744)

AN ACT To designate and establish that portion of Hawaii National Park on the island of Maui, in the state of Hawaii, as the **【Haleakala】** *Haleakalā* National Park, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective July 1, 1961, the detached portion of the Hawaii National Park which lies on the island of Maui is hereby established as a separate unit of the national park system to be known as **【Haleakala】** *Haleakalā* National Park. The park so established shall be administered in accordance with the Act entitled “An Act to establish a

National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat, 535), as amended and supplemented, and in accordance with any other applicable provision of law relating to the Maui portion of Hawaii National Park. Approved September 13, 1960.

(Public Law 87-278)

AN ACT To change the designation of that portion of the Hawaii National Park on the island of Hawaii, the state of Hawaii, to the [Hawaii Volcanoes National Park] *Hawaii Volcanoes National Park* and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective upon enactment of this Act, portion of the Hawaii National Park situated on the island of Hawaii, established and administered pursuant to the Act of August 1, 1916 (39 Stat. 432), as amended and supplemented, shall be known as the [Hawaii Volcanoes National Park] *Hawaii Volcanoes National Park*.

Approved September 22, 1961.

(Public Law 92-388)

AN ACT To provide for the establishment of the Puukohola Heiau National Historic Site, in the State of Hawaii, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to restore and preserve in public ownership the historically significant temple associated with Kamehameha the Great, who founded the historic Kingdom of Hawaii, and the property of John Young who fought for Kamehameha the Great during the period of his ascendancy to power, the Secretary of the Interior is authorized to acquire, by donation or purchase with donated funds, such lands and interests in lands, together with structures and improvements thereon, not to exceed one hundred acres, in the vicinity of Kawaihae, Hawaii, as generally depicted on a map entitled “Boundary Map, Proposed [Puukohola Heiau National Historic Site] *Puukoholā Heiau National Historic Site*,” numbered NHS-PK 20,002, dated February 1970, which shall be off file and available for public inspection in the offices of the National Park Service, Washington, District of Columbia. The Secretary of the Interior may from time to time revise the boundaries of the proposed historic site, but the total acreage of the site shall not exceed one hundred acres.

SEC. 2. The Secretary of the Interior shall establish the area as the [Puukohola Heiau National Historic Site] *Puukoholā Heiau National Historic Site* at such times as he deems sufficient interests in lands have been acquired to constitute an administrable unit. Pending and after establishment, the [Puukohola Heiau National Historic Site] *Puukoholā Heiau National Historic Site* shall be administered, developed, preserved, and maintained in accordance with the provisions of the Act entitled “An Act to establish a National Park Service and for other purposes”, approved August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act entitled “An Act to provide for the preserva-

tion of historic American sites, Buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

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(Public Law 94-567)

AN ACT To designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes

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(a) * * *

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(e) **[Haleakala]** *Haleakalā* National Park, Hawaii wilderness comprising nineteen thousand two hundred and seventy acres, and potential wilderness additions comprising five thousand five hundred acres depicted on a map entitled “Wilderness Plan, **[Haleakala]** *Haleakalā* National Park, Hawaii”, numbered 162-20,006-A and dated July 1972, to be known as the **[Haleakala]** *Haleakalā* Wilderness.

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